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10-27-03 1754
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October 24, 2003

EXPRESS MAIL NO. EV085809992US

Mail Stop Non Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

OCT 29 2003

TC 1700

Re: U.S. Patent Application No. 09/801,023
Title: HYDRAULIC PROPORTIONING SYSTEM
Inventors: William C. Hunt and Neeraj Khanna
Filed: March 7, 2001
Docket No. P1043US01 (C/M 26745-00035)

Dear Commissioner:

Enclosed are the following documents:

- 1) Amendment Transmittal Letter;
- 2) Response to Restriction/Election Requirement; and
- 3) acknowledgment postcard.

You are authorized to charge USPTO deposit account no. 13-0110, should any fees be required. If you have any questions or concerns, do not hesitate to call.

Sincerely,

Bruce P. LaBrie
For the Firm

BPL/knc
Enclosures

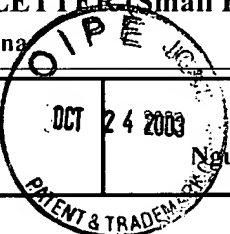
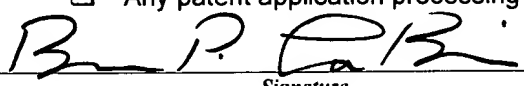
cc: Bio-Cide International, Inc.

1293283.1

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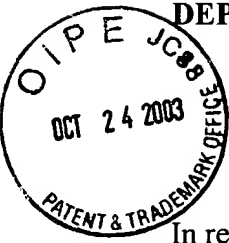
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AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. P1043US01	
Applicant(s): William C. Hunt and Neeraj Khanna					
Serial No. 09/801,023	Filing Date 3/7/2001			Examiner Nguyen, Ngoc Yen M	Group Art Unit 1754
Invention: HYDRAULIC PROPORTIONING SYSTEM				RECEIVED OCT 29 2003 TC 1700	
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.					
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	15 -	20 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	5 -	6 =	0 x	\$40.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-0110 A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 Signature			Dated: 10/24/03		
Bruce P. LaBrie, Reg. No. 53,172 Crowe & Dunlevy, P.C. 20 N. Broadway, Suite 1800 Oklahoma City, OK 73102-8273 Tel: (405) 235-7700 Fax: (405) 239-6651			<div style="border: 1px solid black; padding: 5px;"><p>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p><p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>		
CC:					

EXPRESS MAIL RECEIPT NO.: EV085809992US
DEPOSITED ON OCTOBER 24, 2003

PATENT
DKT. P1043US01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **William C. Hunt and Neeraj Khanna**
Application No.: **09/801,023** Examiner: **Nguyen, Ngoc Yen M**
Filed: **March 7, 2001** Group Art Unit: **1754**
For: **HYDRAULIC PROPORTIONING SYSTEM**

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO FIRST ACTION
RESTRICTION/ELECTION
MAILED OCTOBER 2, 2003

Sir:

This is in response to a first Office Action NOT on the merits. The action is an election/restriction requirement for an election of claims for examination of the above-identified United States patent application.

Remarks

This response is to the Office Action mailed October 2, 2003, in which the Office places a restriction requirement under 35 U.S.C. §121 requiring the Applicants to elect an invention group for prosecution on the merits. The Examiner states that claims 1-13 and 15-16 (Group I) are drawn to a hydraulic system and that claim 14 (Group II) is drawn to a method for producing. The Examiner states that the inventions as claimed in Groups I and II are distinct and therefore require restriction. In response thereto, the Applicants elect, with traverse, to prosecute Group I (claims 1-13 and 15-16). Claim 14 is withdrawn from consideration.

The status of the claims now pending in the present application is as follows:

<u>Claim</u>	<u>Status</u>
1. (Original)	Independent.
2. (Original)	Depends from claim 1.